

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Steffen Hardt Examiner: Jennifer M. Dieterle
Serial No: 10/578,602 Group Art Unit: 1759
Filed: 05/08/06 Date: November 18, 2010
FOR: METHOD FOR SEPARATION OF CHEMICAL SUBSTANCES AND/OR PARTICLES, DEVICE AND ITS USE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

CERTIFICATE OF ELECTRONIC FILING

Sir,

The undersigned hereby certifies that the attached **APPLICANT'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW** was electronically filed with the Commissioner for Patents, Alexandria, VA 22313 on **November 18, 2010**. Thus, timely response has been made to the outstanding Office Action prior to expiration of the shortened statutory period for the same ending **11/21/10**.

No fee is deemed necessary, however the Commissioner is hereby authorized to charge any fees which might be required or credit any overpayment of fees with regard to the attached document(s) to Account No. 08-3150.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO., LPA

✓ David J. Uhlman

By: Daniel J. Hudak, Jr.
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Docket No.: FMW-CP-PCT-US

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APPLICANT'S STATEMENT OF THE SUBSTANCE OF THE INTERVIEW

Sir,

As required under 37 C.F.R. §1.133(b), the Applicant submits a Statement of the Substance of the interview of October 14, 2010.

During the Interview, claims 4 and 19 were generally discussed, along with the prior art of record. With respect to Fig. 7, the undersigned provided an explanation of the invention and clarified that the claimed liquid or gel moves through the device and the particles of interest also flow along with the liquid or gel. The Examiner questioned how the liquid phases would maintain their separate lamellae and stated that they believed that the liquid phases would intermix, especially if the fluid would experience turbulence as it exited the entry ports. Additionally, the Examiner questioned how a gel would be moved through the device given that the gel could be viscous substance and may not be inclined to move. The undersigned clarified claim 4 with respect to the electric field being applied perpendicular to the phase boundaries.

The undersigned has contacted the client and will address the Examiner's concerns in a soon to be filed supplemental response.

The Applicant wishes to thank the Examiner for the courtesy of granting an Interview to Applicant's representative.

Respectfully submitted,

HUDAK, SHUNK & FARINE CO. LPA



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